

REMARKS

Applicants thank the Examiner for the telephone interview of April 4, 2007, during which the claim amendments made herein were discussed. The substance of the interview is incorporated into the remarks below.

The drawings stand objected to under 37 C.F.R. § 1.83(a). The Examiner is reminded of his previous indication during the telephone interview of November 29, 2006, that the Replacement Sheet of Fig. 5 filed May 1, 2006 satisfies the objection.

The Examiner has rejected the claims over Kirwin in combination with Swanson, relying on Kirwin for teaching a method of tissue shrinkage.

Kirwin states (at last page, paragraph 3) that the "shrinkage method as its name implies, withdraws fluid and coagulates albumin, so that the treated tissues are reduced in volume and changed in consistency." Kirwin's disclosure of a method of tissue shrinkage, i.e., fluid withdrawal and albumin coagulation, does not support a finding of obviousness. The claims recite contraction of collagen of collagen containing tissue. Since albumin does not include collagen, there clearly is no description or suggestion in Kirwin of a method that includes contraction of collagen.

Therefore, the claims are patentable over Kirwin in combination with Swanson.

While applicants have amended the independent claims to clarify that the contraction is in the collagen of the collagen containing tissue, the applicants maintain that one skilled in the art would not make the proposed combination, and, even if made, the combination would not result in the claimed subject matter.

Applicants have not received an initialed copy of the PTO-1449 form submitted with the Information Disclosure Statement filed August 10, 2006. The Examiner is respectfully requested to forward an initialed copy.

Applicants do not acquiesce to the characterizations of the art. For brevity and to advance prosecution, however, Applicants may have not addressed all characterizations of the art, but reserve the right to do so in further prosecution of this or a subsequent application.

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The absence of an explicit response by the applicant to any of the examiner's positions does not constitute a concession of the examiner's positions. The fact that applicants' comments have focused on particular arguments does not constitute a concession that there are not other good arguments for patentability of the claims. All of the dependent claims are patentable for at least the reasons given with respect to the claims on which they depend.

The fee in the amount of \$790 in payment of the request for continued examination fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06 1050.

Respectfully submitted,

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